

10519 U.S. PTO
101403

MILDE & HOFFBERG, LLP
COUNSELORS IN INTELLECTUAL PROPERTY LAW
10 BANK STREET, SUITE 460
WHITE PLAINS, NY 10606

TEL: (914) 949-3100
FAX: (914) 949-3416
INTPROP@AOL.COM

OF COUNSEL:
CHERYL H. AGRIS, Ph.D.²
PAUL S. HOFFMAN
SAMUEL SHIPKOVITZ, Ph.D.³
THOMAS M. PITEGOFF
NANCY A. BIRD

WWW.MILDE.COM

¹ ALSO ADMITTED IN CT
² ALSO ADMITTED IN NJ
³ ADMITTED IN DC, VA, OH ONLY

FORM PTO-1082 (modified)

22581 U.S. PTO
10/684602
101403

Case Docket No.: XCI-228.2

COMMISSIONER FOR PATENTS
P.O. BOX 1450
Alexandria, VA 22313-1450

Sir:

Date: October 14, 2003

Transmitted herewith for filing is the patent application of

Inventor(s): Paul A. Nysen

For: FREQUENCY HOPPING SPREAD SPECTRUM PASSIVE ACOUSTIC
WAVE IDENTIFICATION DEVICE

Enclosed are:

- [x] Specification - 30 pages
- [x] Claims - 9 pages
- [x] Abstract - 1 page
- [x] 12 Sheets of drawing. (FIGS. 1-20)
- [x] Letter to Official Draftsman
- [x] 7 Sheets of Formal drawings (FIGS. 1-8)
- [x] A declaration and power of attorney.
- [x] Non-Publication Request
- [x] Preliminary Amendment - 18 pages

Page Two

[x] Priority is hereby claimed on the basis of the following:

Country	Serial No.	Date
<u>U.S.</u>	<u>08/914,282, now U.S. Patent No. 6,114,971</u>	<u>8/18/97</u>
<u>U.S.</u>	<u>09/248,022, now U.S. Patent No. 6,633,226</u>	<u>2/10/99</u>

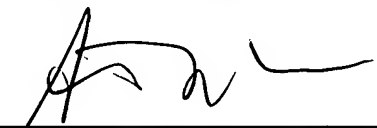
The filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
FOR:	NO. FILED	NO. EXTRA	RATE FEE	OR RATE FEE
BASIC FEE			\$ 385.00	OR \$ 770.00
TOTAL CLAIMS	- 20=		x 9= \$	OR x 18= \$
INDEP CLAIMS	- 3=		x 43= \$	OR x 86= \$
[] MULTIPLE DEPENDENT CLAIM PRESENTED			+145=\$	OR +290= \$
			TOTAL \$ 385.00	OR \$

[x] A check in the amount of \$ 385.00 to cover the filing fee is enclosed.

[x] Please charge any insufficiency of fee, or credit any excess, to Deposit Account No. 50-0427.

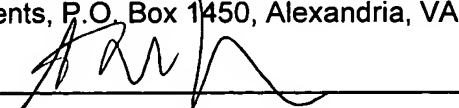
MILDE & HOFFBERG, LLP

By 
Steven M. Hoffberg
Reg. No. 33,511

"Express Mail" mailing label.

Number EU865475095US
Date of Deposit 10/14/2003

I hereby certify that this paper or fee is
being deposited with the United States Postal
Service "Express Mail Post Office to Addressee"
service under 37 CFR 1.10 on the date indicated
above and is addressed to the Commissioner of
Patents, P.O. Box 1450, Alexandria, VA 22313.

By: 

XCI-228.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Paul A. Nysen
Serial No. : Continuation of 09/248,022
Filed : Herewith
For : FREQUENCY HOPPING SPREAD SPECTRUM PASSIVE
ACOUSTIC WAVE IDENTIFICATION DEVICE

October 14, 2003

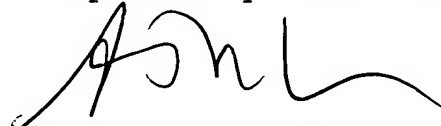
Hon. Commissioner of Patents
& Trademarks
Washington, DC 20231

Sir:

LETTER TO THE OFFICIAL DRAFTSMAN

Enclosed herewith are 7 sheets of revised drawings for the
above referenced patent application. Approval of the formal
aspects thereof is respectfully solicited.

Respectfully submitted,



Steven M. Hoffberg
Reg. No. 33,511

MILDE & HOFFBERG, LLP
10 Bank Street - Suite 460
White Plains, NY 10606
(914) 949-3100

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

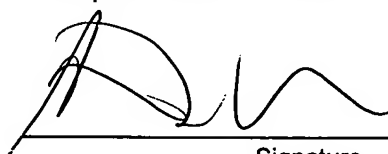
First Named Inventor	Paul A. Nysen
Title	FREQUENCY HOPPING SPREAD SPECTRUM PASSIVE ACOUSTIC WAVE IDENTIFICATION DEVICE
Attorney Docket Number	XCI-228.2

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

October 14, 2003

Date



Signature

(914) 949-3100

Telephone number

Steven M. Hoffberg

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.